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John. philadelph.

A
LETTER
TO A
FRIEND, &c.

27 April 1716

K Great Britain, Commons
House of A

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bill read 10 April 1716

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LETTER

TO A

FRIEND,

Upon Occasion of the

House of Commons

Passing a

BILL,

INTITULED,

An ACT for enlarging the Time of Continuance of Parliaments, appointed by an ACT of the 6th of King William and Queen Mary; Intituled, *An ACT for the frequent Meeting and Calling of Parliaments.*

LONDON: Printed for J. Churchill, at the
Black-Swan in Pater-Noster-Row. MDCCXVI.

ЯДЕВА

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BRIDES

Answers to Questions



САНДУЧИ

the following day at the office of Captain
John C. H. Smith, who had been appointed
to command the vessel.



A

LETTER

TO A

FRIEND, &c.

SIR,



Am not at all surprised
at the earnest Desire you
have express'd, to know
the Fate of a Bill, which
has undergone the nicest
and most impartial Examination
of

of both Houses of Parliament, and been the Subject of very warm Debates, in all publick Places, as well as in most private Conversations. Nor do I blame your Conduct, in suspending your Judgment about a Matter of so great Consequence, till you should have an Opportunity of examining the Arguments and Objections which might be advanced for, or against it.

I fancy you will be much inclin'd to judge favourably of this Bill, when I have told you, that after it had been thoroughly debated in the two Houses, it was carried by a very great Majority in both those August Assemblies: But as I know you are no Friend to an implicit Faith, but desire to see and judge for your self; I shall candidly lay before you the main Objections, that I have hear'd urged against the Bill; I shall beg leave

leave to offer some Answers to them, and in replying to the last of them, shall hint at some of the Reasons which are given for the Bill.

The Objections against the Bill were these;

Object. I. *It subverts the Constitution.*

Object. II. *It is Prejudicial to the Rights and Privileges of the People.*

Object. III. *It will be a Breach of Trust in the Members of the House of Commons to agree to it.*

Object. IV. *It gives too great a Power to the Court; and if we should have a Prince upon the Throne, that should not be in the Interest of his Country, he might by so long a continuance of a Par-*

a Parliament, gain such an Influence upon it, as to be able to accomplish any ill Designs he may have upon the Subjects.

Object. V. Now is not a proper Time for such a Bill.

Object. I. This Bill, if it passes, will subvert the Constitution.

Answer. The Force of this Objection depends upon the Truth of this Proposition, viz. That to have a new Parliament chosen, at least every three Years, is so Essential to the Constitution, that if we have not one so often chosen, the Constitution is subverted : If this Proposition be not true, the Objection falls to the Ground ; if it be true, I would ask where was our Constitution, at least

at least for great part of K. Hen. 8th's Reign, and thence down to the 6th of K. William? I own with all thankfullness to God, and respect to the Memory of that Glorious Prince, that he was a happy Instrument in the Hands of Providence, in restoring our Constitution; but I do not think that he did it by passing the Triennial Act; and, if I am not misinform'd, that wise King was of the same Opinion. I ask, Had we no Constitution for above 200 Years? No legal Parliaments, nor valid Acts pass'd, in that part of H. 8th's Reign, in which the Reformation was begun; none in that of Edw. 6. when it was further advanced; none in the long and glorious one of Q. Eliz. in which it was brought to Perfection; none in the Reign of J. the 1st. none in that of the Royal Martyr; none in

that of his Son, with whom I thought the Government in Church and State had been restored? None till the Year 1693? These are strange things, and indeed many have given up this Objection, who would be content the Bill should pass, provided it should relate only to future Parliaments, and not to the present: Why, we must have had a new Parliament in less than two Years, and can it be suppos'd these Persons should be contented, that our Constitution should be subverted in so short a time? No surely, they cannot therefore believe that this Bill would subvert the Constitution then; and if it would not then, neither will it, if it takes effect now.

I shall add but one thing more upon this Head, and that is, That it is an essential Part of the *English Constitution*

stitution, that the Legislative Body, the Parliament, are so far Masters of the Laws they make, that if upon Experience (as we have had two or or three and twenty Years Experience of this Triennial Act) they find any Law they have made, not to answer the good Ends intended to have been serv'd by it; but on the contrary, to be attended with a great many Inconveniences, and Mischiefs, which were not foreseen, they have Power to alter and repeal such a Law: How then can the Parliament's exercising a Power, essential to the Constitution, be said to be a Subversion of the Constitution?

Object. II. *This Bill is prejudicial to the Rights and Privileges of the People.*

Answer. I must own I was pleas'd to hear this Objection frequently insisted on, for I had been so much used for some Years past, to the Sound of Prerogative, Prerogative, that I was very glad to perceive a Concern appear, for the Rights and Liberties of the People. I might ask the same Question in relation to this Objection, that I did to the former, where were the Rights and Privileges of the Subject, had they none before King William's Time? But I shall rather consider what is the Englishman's Privilege in Relation to Parliaments. I take

I take it to be this, and a very valuable one it is, That no Act can pass, no Law can be made, that shall bind him, in relation to his Person, or Property, his Life, Limb, Estate, or Liberty, but what he shall consent to; if not Personally, yet by his Proxy chosen to represent him. Now will any one say, that he does not as much consent by his Proxy chosen by him, if the Parliament continues seven Years, as he would if it sat but three? Yes, because he chose his Proxy but for three Years. I utterly deny that Proposition; he chose him indeed under a Law, which provided that Parliaments should last but three Years, but not with any Restriction upon him, that he should not consent to the Altering that Law, if it should be expedient; he sent

sent him up with full Powers to treat of, and agree to any thing, that should be for the Publick Good, and if this Bill be judg'd to be for the Publick Good, the Proxy brought Power from his Principal, to consent to it, and if he did consent, he gave the Consent of the Principal.

Object. III. It will be a Breach of Trust in the Members of the House of Commons to agree to this Bill.

I would fain ask the Objectors, Whether those that consented to the Bill, for qualifying Members to sit in Parliament, were guilty of Breach of Trust? That Bill provides, That no Person under 600 l. or 300 l. per Annum, should be capable

pable of serving for any County or Corporation. Now by that all the Gentlemen of England, under 600*l.* and 300*l.* per Annum Estates, are incapacitated for, and excluded from ever serving their Country in Parliament. Had their Representatives in Parliament any particular Powers from so many thousand Gentlemen, to lay them under such an Incapacity, or did they do it by Virtue of their general Powers? Surely by virtue of their general Powers; and if those general Powers so far warranted those Representatives, that it was no Breach of Trust in them, to divest such a vast Number of Gentlemen of a Privilege they enjoy'd before, shall it be a Breach of Trust in the Members of the present Parliament, because in Virtue of their general Powers they consent

sent to this Bill, which does not take away any Privilege from the Subject, but only restrains the too frequent Exercise of it, which has been found by Experience, to be detrimental to the Publick, and consequently to themselves? Parliaments are now to meet as often, though not to be so frequently chosen as before. Every Man that has a Vote, has liberty to give it, whensoever a Parliament is called; all the Restraint that is laid upon them, is, That when they have chosen their Representatives, they may, if the King pleases, continue for seven Years, whereas before they could sit but three. I never heard, that consenting to the Qualification-Bill, was called a Breach of Trust; and there is much less Reason to say, that consenting to this is so.

But

But the full Answer to this Objection, has been given in the Reply to the Second; for if the Proxy be intrusted with a Power to consent to every thing, that shall be judg'd to be for the Publick Good, and this Bill be judg'd so to be, then his consenting to this Bill, is only executing a Power intrusted with him, and consequently no Breach of Trust.

Concerning the Object
of this Bill, it is evident that it is
not to give a general power to
the King to make all such laws
as he shall think fit, but to give
him a particular power to make
such laws as will be necessary
for the better government of the
Country.

Object. IV. **This Bill gives too**
no greater a Power to the Court, and
if we should have a Prince upon
the Throne, that should not be in
the Interest of this Country, he
might by so long a Continuance of
Parliament, gain such an In
fluence upon it, as to be able to
accomplish any ill Design he may
have upon the Subjects.

Answer. I thank God there is no Danger of this being our Case, under his present Majesty, whose Reign hitherto has demonstrated, that he has Nothing so much at Heart, as the securing to his People the free Enjoyment of all their Civil and Religious Rights: And I am so well satisfied, with the pleasing

pleasing Prospect I have, that the same will be secured to our Post-
erity, by that happy Settlement, which has so Providentially taken Place amongst us; that I do with Cheerfulness and Thankfulness contribute my little Proportion towards the extraordinary Charge of the Civil List, occasion'd by the numerous Branches of the Royal Family; a Blessing, which our fore-Fathers, for many Ages, knew not, and if they had known, would have valued at another Rate, than too many of us do.

But to speak to the Point. This Objection stands upon this precarious, I think false, Supposition; That the longer a Parliament sits, the more Influence the Court will have over it: If we may judge Rationally of what will be, from

our Observations of what certainly has been, the Contrary to this will be true. Whosoever looks into the History of our Parliaments will find, that the longer they have sat, the less attach'd they have been to the Court; and the Complaisance they have express'd at their first Meeting, has very much worn off by their longer Continuance.

I could instance in the long Parliament, in King *Charles* the Second's Time, which sat seventeen or eighteen Years, and, if it was not abused by an Epithet given it, was under another sort of Influence from the Court; but yet notwithstanding its long Continuance, and that other Influence, when that Prince had some Business to be done by them, which was prejudicial to the Country, they would
not

not comply with him, and he was forced to dissolve and send them home.

We have a more recent Instance, in one of the worst of Parliaments (I cannot call the *Rump* that murder'd King *Charles*, a Parliament) that ever sat in this Kingdom: They went great Lengths in Compliance with the then Ministry, towards the Ruin of their Country, but were at last awakened, and when the finishing Stroke was to have been given, they refused to pass the infamous Bill of Commerce.

But this Instance has been urged in favour of the Triennial Act, by some, who tell us, That that Parliament being so soon to be dissolved by that Act, the Commons rejected the Commerce Bill, only to

to ingratiate themselves with their Voters, in order to secure their next Election. They that Argue thus, are very hard upon the Gentlemen of that House of Commons, and will not allow them to do one good Thing, out of a good Principle.

But I must do the Justice to those Members, as to assert, That the securing their next Elections could not be the Reason of their rejecting the Bill of Commerce, which would have been the wrongest Method they could have taken, to that End: And this they could not but be sensible of, for they knew very well by what way they came into that Parliament, and that the same was the cheapest and surest way to come into the next; that they were not to make their Court

Court to the Freeholders, but to the Treasury, which they were certain they should disoblige by refusing that Bill: And therefore the Danger of losing their next Election could not be the Ground of that Conduct; but at last discovering, how they had been led insensibly, Step by Step, towards the Destruction of the Nation, they stop'd short, and would not go on to compleat its Ruin.

Obje&t. V. Now is not a proper Time for this Bill.

Answer,

But

Answer. I must observe that this Objection implies, That tho' This is not, there might be a proper Time for such a Bill, and this utterly overthrows all the former Objections: For can any Time be proper for a Bill that will subvert the Constitution; that will prejudice the Rights and Privileges of the People; will make the Members of the Honourable House of Commons guilty of a Breach of Trust, in agreeing to it; and will put it in the Power of an ill Court, to compass any ill Designs upon the Country? Certainly no; and therefore if this Bill do pass at any Time, though not now, it cannot be charged with such dreadful Consequences.

But

But I would ask, why is not this a proper Time for it? If this Bill will take away the Occasion, of abundance of Disorders and Mischiefs, that every good Man complains of among us, surely the sooner it passes the better.

Our frequent Elections, have been the Occasions of many Gentlemens running out of their Estates, to get into Parliament, and laying them under Temptations when they come there, of reimbursing their Expences, by selling their Country.

Abundance of Drunkenness, Swearing, Cursing, Quarrelling, and Debauchery of all Sorts, are not only the necessary Attendants upon Elections, but the Preludes to them for some Months before, and continue too long after them; during that Time, the Voters are indispos'd for Labour, neglect the Business of their particular Callings, contract Habits of Idleness,

D which

which tends to the impoverishing of their Families, and the decay of Trade.

The most unnatural Differences, and unchristian Divisions have been the Consequences of them, even to the setting Father against Son, and Brother against Brother.

When the Candidates declare, it is something like the Case of our unhappy Duels, in which the Combatants must have their Seconds, who, though they have no Quarrel with one another, and are, it may be, near Relations, or the dearest Friends, must yet so far espouse the Cause of their Principals, as to pursue one another to the Death.

When our Parties are led into the Field, they meet with greater Resentments, and Animosities, than two regular Armies, that are drawn up to fight do ; and whoever gets the better, the Resentments are of a longer continuance

tinuance. It is well, if in the first Year, they can be brought to pay one another the Civility of the Hat; and if in the Second, they can bear being in the same Room together, and seem dispos'd, if the Cessation were to continue for some time, to come to a better Understanding; the third Year comes a new Election, the Hostilities are renewed, and thus our Divisions are perpetuated.

Now, Sir, do you think that a Bill could be passed too soon, that would take away the Occasion of such fatal Mischiefs?

I do not say, that this Act will presently cure this complicated Distemper, which threatens the very Being of our Constitution; but I believe it will put off the Fit, it will gain Time for other Applications to be used, and dispose the Body Politick for the good Effects of them.

But it has been ask'd under this Head, what strange Things are the Ministers designing, what Work have they to go through, which another Parliament will not do for them as well as this ?

You will witness for me, Sir, that I never was a Slave to any Ministry, and by the Grace of God I never will be ; but I cannot but think it a little hard and unjust, to insinuate Suspicions of any Ministry, that they will do ill Things, before it can be proved, that they have done any ill Things..

What this Ministry design to do, I cannot certainly say ; but if I may guess at what they will do, by that which they have done, I suppose they intend to keep out the Pretender.

But why should not another Parliament concur with them in that ? Indeed I see no Reasons why they should

should not, and would willingly hope that they would ; but this I will say, that if there had not been great Expectations, that a new Parliament might take quite another turn, there would not have appear'd half so much Zeal against this present Bill, and for the continuance of the Triennial Act, as has been shewn at our politick Clubs at Coffee-houses, Chocolate-houses, and Tea-Tables.

But what need the Ministry fear getting a good Parliament at another Election ; have we not a standing Army ? Yes, We have an Army, and I thank God and the Parliament for it ; but what are they to do ? To govern our Elections ? God forbid ! If I thought so, I would be the forwardest in desiring the disbanding of them. Does not every body know, that the Army is obliged to withdraw to some Distance, from every Place of Election ? They do, and this can be thrown in only
to

to cast an Odium upon the Government.

But did the King raise this Army, by his single Authority? Was he not address'd, advised, besought to do it, by both the Houses? Has he exceeded, has he not kept within the Limits of the Power, which was intrusted with him by the Parliament? Is it not reasonable, is it not necessary, that while foreign Princes, who either are avowedly, or may be secretly in the Interest of the Pretender, are keeping up, or increasing their Forces, by which they may be able, upon a fair Occasion to invade us, we should be in some Condition to defend our selves?

But this opens another Cause of some Men's Zeal, against this Alteration in the Triennial Act, there might be hopes that a new Parliament might have been procur'd, which would have eas'd the Nation of this great Grievance

vance of a Standing Army, that would have address'd the King to disband them, and if he refused, would have given him no Money to pay them ; and then, I dare say, a great many at Home and Abroad, that are now a little upon the Reserve, would have spoke very plainly. If this Army be such a Burden, this Bill by quieting the Nation, is the likeliest way, to enable the Government to disband them with safety.

But notwithstanding all that can be said, some are very Sanguine, they see no need of all this Precaution, they have no fears of any Invasion from abroad, or any Insurrections at home : Indeed, I believe them ; but they have those reasons for their Courage, which will never prevail with me : I profess my self such a Coward, that I am dreadfully afraid of a Prince's mounting this Throne, that has suck'd in with his Milk, the Maxims

ims of *Rome* and *France*; that shall come with a Spirit of Revenge for suppos'd Injuries, joined with that of Popery and Tyranny.

And I am in my Conscience perswaded, that the greatest Hopes of the Pretender, and his Faction, were built upon their expectation of a new Election, when this Parliament should have been dissolved by the Triennial Act. And their Hopes were not groundless, considering the present Situation of our Affairs at home. I have already taken notice of our wretched Divisions, and you cannot but observe, how much the Interest of the Pretender mixes with them.

Besides this, the generality of our People are most miserably corrupted in their Morals, and in their Principles. There is little of real Religion, or common Honesty left among us; little of that Charity, which is the distinguishing Badge of the Christian Pro-

Profession. We have indeed had of late, a great Noise about the Church, and mighty Outcries of the Danger of it; but what are the Persons who have distinguish'd themselves by this Zeal on this Occasion? Why truly such, for the most part, as would bring a Scandal upon any Church or Religion, by professing themselves Members of it. And how have they express'd their Zeal? Why, by seldom attending upon the Worship and Ordinances of the Church, but by Railing for the Church, by Drinking for the Church, by Swearing for the Church, by Forswearing for the Church, by Rioting for the Church, by Rebelling for the Church. These Prostitutions of that venerable Name, you and I, Sir, have fomerly lamented.

E

There

There is another Corruption got among our People ; they are very mercenary ; and this is, in a great measure, owing to our frequent Elections, which have taught them the Value of their Votes : The Question is not now, who is best qualified to serve his Country, but who is the best Bidder.

Add to this, the Corruption of Principles in relation to Government : There have been great Pains taken, to instill into the People, that senseless Notion, of a Divine, Hereditary, Indefeasible Right, a Thing so stubborn, (as one of the Abettors of it says,) as not to bend to 20 Acts of Parliament : They have been made to believe, that this Divine, Uncontrollable Right, is only in the Person, that pretends to his Majesties Crown.

And

And because that just dread and horror, which our People formerly had for Popery, might have been some Antidote against this Poison, might have check'd their Zeal for this *Jure Divino* Gentleman, who, if he comes, will certainly bring his Religion with him, and force it upon his Subjects ; Endeavours have been used to take off that Dread and Horror.

The Methods made use of, to reconcile our People to Popery, by the Priests, in King *James* the Second's Time, were, by representing Popery as like Protestantism as could be : this was the Design of the Author of the Papist misrepresented, and represented, and of the Bishop of *Condom*, in that Treatise of his, which was translated into our Language. The Methods taken by some more lately, have been, by represent-

ing Protestantism as like Popery as might be; by inculcating, as Doctrines of the Church of *England*, those Popish Tenets, of the Independency of the Church upon the State; of the Necessity of Sacerdotal Absolution, in order to the forgiveness of Sins; of the proper Propitiatory Sacrifice in the Sacrament of the Lord's-Supper: Had the Ministers of the Church of *England*, in King James's Time, gone these Lengths, to have met the Priests of the Church of *Rome*, I dare say, there might have been an Amicable Accommodation between them.

By these and other palliating Methods, which have been used; and by a too general Neglect of those, who were obliged in Duty to have made their People sensible of the desparate Corruptions of that Idolatrous

latrous Religion, Popery is no longer that dreadful Thing it was once to them, you may hear them frequently declare, I had rather be a Papist than a Presbyterian.

Now, Sir, since this is the State of our Nation, since we are at present thus miserably divided, thus miserably corrupted, mercenary to such a Degree, that I never heard of any Instance that could come near to it, but that of a single Person, who for five Pounds, sold himself to be a Slave : Since the Pretenders imaginary Right in so many Peoples Opinion, speaks so much for him, and his avow'd Religion says so little against him, would it have been prudent, would it have been safe, to have been under the necessity of calling a new Parliament about two Years hence ?

Would

Would not the Pretender in the mean time, have been raising Contributions among his Friends here, and the Popish Princes and Religious Houses, as they are call'd Abroad, against such a Juncture? And if he could have raised 2 or 300000 l. could he have disposed of it to better Purpose any where than among our Electors? We know what such a Sum has done.

Would he not have provided Men, as well as Money, against such a Time? When so many Thousands of the People, would have had a legal Call to assemble in all Parts of the Kingdom, when his Friends, might have cover'd their gathering together under that Pretence, and when Riots and Tumults are as constant as those Meetings?

Really

Really, Sir, I cannot but think, that in such a Conjunction, when so many inviting Circumstances would have concurr'd, he must have had even less Sense, and less Courage, than he is reported to have, if he should have neglected so favourable an Opportunity, of trying his Fortune once more; and then certainly it was well and prudently done, to cut off his Expectations of such an Opportunity.

I shall trouble you but with one Thing more, and that is in relation to our Allies Abroad; and can you imagine, Sir, that they can have so great Confidence in us, or that we can expect so advantagious Terms in any Treaty from them, when they stand upon so very unequal a Foot with us, that while they can engage on their Parts to make good the Articles, agreed on in any Alliance, during the Term it is to subsist,

we

we cannot on our Parts be sure to perform, what is stipulated by us, longer than for three Years; which we could not do at any time, while the Triennial Act subsisted: And when the present Bill was brought in, could not then do it for two.

But you will say, they have made Alliances with us under the Triennial Act; yes, they have, and paid for it too: And can you think they will do it again, after our late notorious Breach of Faith with them?

Could ever Treachery have been less suspected, than when the new Parliament was called in 1710? We had in Conjunction with our Allies, carried on a War for ten Years with the most glorious Successes, that any History can parallel, against the common Enemy, till we had got him under our Feet, and had it in our Power, to have demanded what Terms

Terms we would, for all the Allies, and for the common safety of Europe ; and when we might have hoped, to have reap'd the Fruits, of all the Blood and Treasure, which had been expended ; we enter treacherously, in breach of the grand Alliance, into secret Measures with the vanquish'd Foe. We villifie our Victories, and the General that gain'd them ; we lessen our selves, magnifie our Enemy, abuse our Allies at Home, and betray them Abroad ; and at last, by the infamous Cessation of Arms, and the more infamous withdrawing of our Forces, put it into the Power of him we had conquer'd, to prescribe to us all : Force some of our Allies to come into a Treaty, (by the Terms of which, a Stranger must guess, that France had had all the glorious Successes of the Allies, and the Allies had suffer'd all the

F shame-

shameful Defeats of *France*) and leave others of them to shift for themselves; and by this astonishing Conduct, enable the ambitious Aspirer to an universal Monarchy, again to prepare Chains for his Neighbours, to which, after all our glorious Triumphs, we must have ignominiously submitted, had not God wonderfully interposed, by placing his Majesty, in the most critical Time, on the Throne of *Great-Britain*.

But it may be said, it was the then Ministry that did this. No doubt, they were the Contrivers of, the Agents in, this Mystery of Iniquity ; but give me leave to say, they would not have dared to have attempted it, nor could they have succeeded in it, without the Assistance of a Parliament ; 'twas the Parliament that gave the Sanction to the Mischief, and establish'd the Iniquity by a Law.

Now

Now, Sir, is it not reasonable, at such a Juncture as this is, to take away all Umbrage from our Allies, and to give them a Confidence in us, that we may heartily, and without Reserve enter into Measures for the common Good? I might add, That this Bill will have its Influence, and do *Great-Britain* good Service, with other Princes and States, who are not in Alliance with us, but I forbear adding further to my Letter, and your Trouble, than by assuring you that I am, with great Respect,

*London, April,
27th 1716.*

Yours.

F I N I S.

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M. M. 21, 1872, at 12 noon received
from a friend a box of books to take away
He will send his bill, same to
the above address. Please return the books
as soon as you can. I will pay you
what you charge me for them.
Very truly yours,
John H. Green,
Editor of the "Daily Journal".



J. H. GREEN
LIBRARIAN

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